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19 **UNITED STATES DISTRICT COURT**
 20 **NORTHERN DISTRICT OF CALIFORNIA**

21 ROBIN ANTONICK, an Illinois Citizen,

22 Plaintiff,

23 v.

24 ELECTRONIC ARTS INC., a California
 25 corporation,

26 Defendant.

27 Case No. 3:11-cv-01543-CRB (EDL)

28 **STIPULATION AND ~~PROPOSED~~
 ORDER GRANTING IN PART AND
 DENYING IN PART PLAINTIFF'S
 MOTION TO COMPEL**

1 WHEREAS on January 10, 2012, the Court held hearing on Plaintiff's December 2, 2011
2 Motion to Compel;

3 WHEREAS on January 6, 2012, Defendant filed a motion to compel responses to certain
4 interrogatories;

5 WHEREAS the Court having considered the papers and argument requested that the parties
6 submit a stipulation and proposed order memorializing the Court's rulings;

7 WHEREAS the parties have met and conferred and agreed to the entry of this proposed
8 order;

9 IT IS HEREBY ORDERED that

10 Defendant shall produce all source code, source code documentation and development
11 materials in its possession for any *John Madden Football* or *Madden NFL* videogame that is listed
12 in its Fourth Amended Response to Interrogatory No. 1 and was released on or before January 1,
13 1996;

14 For any versions for which Defendant does not produce source code, Defendant's Counsel
15 shall certify in writing that a diligent search was conducted and that the source code cannot be
16 found;

17 Within ninety (90) days of receiving a complete production in response to this order,
18 Plaintiff shall prepare and serve amended responses to the interrogatories subject to Defendant's
19 January 6, 2012 Motion to Compel based on Plaintiff's analysis to date;

20 IT IS FURTHER ORDERED that Defendant's January 6, 2012 Motion to Compel is hereby
21 withdrawn without prejudice to re-file following Plaintiff's service of the amended interrogatory
22 responses described above. Plaintiff shall not move to compel any additional source code for any
23 title released after January 1, 1996 prior to the service of the amended interrogatory responses
24 described above;

25 IT IS FURTHER ORDERED that Defendant shall provide an amended response to
26 Interrogatory No. 3 that describes in detail the approaches, methods, safeguards, and processes
27 used to ensure independent development of any *John Madden Football* or *Madden NFL* videogame

1 listed therein, which was released on or before January 1, 1996. Such amended response shall be
2 served within FOURTEEN (14) days of the entry of this order.

3 IT IS FURTHER ORDERED that Defendant shall produce all documents in response to
4 Plaintiff's Request for Production No. 12 that relate to the approaches, methods, safeguards, and
5 processes used to ensure independent development of any *John Madden Football* or *Madden NFL*
6 videogame listed therein, which was released on or before January 1, 1996. Such documents shall
7 be served within FOURTEEN (14) days of the entry of this order

8 Pursuant to General Order No. 45 section 10(b), R. Adam Lauridsen, the filer of this
9 stipulation hereby attests that Stuart M. Paynter concurs in the filing of this stipulation.

10 DATED: January 13, 2012

KEKER & VAN NEST LLP

11
12 By: /s/ R. Adam Lauridsen

13 R. ADAM LAURIDSEN
14 Attorneys for Defendant
ELECTRONIC ARTS INC.

15 DATED: January 13, 2012


THE PAYNTER LAW FIRM PLLC

16
17 By: /s/ Stuart M. Paynter

18 STUART M. PAYNTER
19 Attorneys for Plaintiff
20 ROBIN ANTONICK

21 **IT IS SO ORDERED.**

22
23 DATED: January 17, 2012

24 
25 Magistrate Judge Elizabeth D. Laporte
26 Northern District of California
27
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